

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 21 2001

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAR 21 1978 under 34444

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The applicant **Young Bros, A Nevada General Partnership**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Proof 02410, 02411, 02412, 02416, Certificate No 366**

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1. The source of water is **Kingston (AKA Big Smokey) Creek and Tributaries**
2. The amount of water to be changed **1.74 c.f.s. 347.24 acre-feet**
3. The water to be used for **As decreed**
4. The water heretofore permitted for **As decreed**
5. The water is to be diverted at the following point **NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec 35 T16N., R43E MDM or at a point from which the NE $\frac{1}{4}$  corner of said Section 35 bears N 78°22' E. a distance of 2680 feet**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec 29 T16N R.44E MDM or at a point from which the NE $\frac{1}{4}$  corner of Section 21 T16.N., R44E. MDM bears N. 49°30' E a distance of 9083.43 feet**
7. Proposed place of use **15.14 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  .88 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  26.05 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  4.34 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 16 34.4 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.28 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  1.09 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  2.63 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec 21 all in T.16N., R.44E., M.D.M.**
8. Existing place of use **no change**
9. Use will be from **As decreed**
10. Use was permitted from **As decreed**
11. Description of proposed works **headworks & pipeline**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **2 year**
15. Remarks: **This application is to change the point of diversion of the water from Kingston Creek covered under Certificate 366 Please use map filed under 34444**

s/Ralph A. Young  
By **Ralph A. Young**  
**H.C. 65 Box A**  
**Austin, NV 89310**

Compared cmf/cam lb/cmf

Protested \_\_\_\_\_

68330-T

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This permit to change the point of diversion of the waters of Kingston (AKA Big Smoky) Creek and Tributaries as heretofore appropriated under Proofs 02410, 02411, 02412, 02416, Certificate 366; as appears in the Matter of the Determination of the Relative Rights in and to the waters of Kingston (AKA Big Smoky) Creek and its Tributaries, in the District Court of the Third Judicial District of the State of Nevada, in and for the County of Lander is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee must have in place, before any water is diverted, measuring devices acceptable to the State Engineer that allow the determination of the amount of water in Kingston Creek not diverted and the amount of water that has been diverted under this temporary permit.

The total combined duty of water under Temporary Permits 68328-T, 68329-T, and 68330-T shall not exceed 1921.32 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 31, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON \*PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.74 cubic feet per second, but not to exceed 347.24 acre-feet as decreed, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereto set

my hand and the seal of my office,

this 20th day of September, A.D. 2002

  
State Engineer



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